

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.20121 OF 1997

ORAL ORDER:

This writ petition is filed alleging that the 1st respondent-Mandal Revenue Officer, Mopidevi, Krishna district, at the instance of the 3rd respondent, has been attempting to dispossess the petitioner from plot No.68 (Lay-out No.88/2, Kothapalem-Kokkiligadda, Mopidevi mandal, Krishna district), forcibly. It is claimed by the petitioner that she being a land less poor, she was granted a house site patta on 25.3.1987 in respect of the plot in question, and that she has been continuing in possession and enjoyment of the same. It is contended that since the patta granted in her favour is subsisting, the action of the 1st respondent in attempting to dispossess her from the plot in question is arbitrary and illegal.

This Court while directing *Rule nisi* by order dated 26.8.1997 ordered that *status quo* obtaining as on that date shall be maintained.

In response to *Rule nisi*, the Mandal Revenue Officer, Mopidevi mandal, filed a counter affidavit stating that since the entire record in the Office of the Mandal Revenue Officer, Avanigadda, was burnt by miscreants, no material is available to show that house site pattas were granted in the year 1986 as claimed by the petitioner. It is also stated that on spot inspection conducted, it was found that Plot No.68 claimed by the petitioner is vacant. The other allegations are denied and it is stated that there is a dispute between the petitioner and the 3rd respondent with regard to title and possession of the plot in question.

Having regard to the facts and circumstances of the

case and keeping in view the assertion made by the petitioner that she was granted house site patta following due process of law, which is substantiated by a Xerox copy of the patta filed along with the writ petition, without expressing any opinion as to the right and title claimed by the petitioner, the writ petition is disposed of with a direction to the 1st respondent to conduct an enquiry as to the entitlement of the petitioner in respect of the plot in question after affording due opportunity to all the parties concerned, and pass appropriate orders in accordance with law. Till such time, the *status quo* ordered by this Court on 26.8.1997 shall continue. No costs.

(G. ROHINI).

31st January, 2007.
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THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.20121 OF 1997

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31st January, 2007.

Between:

Tutaram Chandrika Rani.

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Petitioner.

And

Mandal Revenue Officer, Mopidevi,
Krishna district and and others.

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Respondents.